S.B.CRIMINAL MISC. BAIL APPLICATION NO. 4678/2007
(Smt. Ramila Dave Vs. State of Rajasthan)

DATE OF ORDER : 20/09/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. S.S.Shaktawat for the petitioner.
Mr. Ashok Upadhayay, Public Prosecutor for State.

Heard learned counsel for the petitioner and Public Prosecutor for the State. Perused the order impugned and statement of prosecutrix recorded by Additional Chief Judicial Magistrate, Dungarpur.

It is contended by learned counsel for the petitioner that there is no allegation against the present petitioner.

On careful perusal of the statement of prosecutrix, it appears that it was the present petitioner who telephoned Mansingh and inquired about the prosecutrix, Mansingh in turn stated that the victim is not with him.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I consider it just and proper to allow the bail application filed by the petitioner under Section 438 Cr.P.C.

Accordingly, the bail application filed by the petitioner u/s 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioner Smt. Ramila Dave D/o Ishwarlal Dave in FIR No. 91/2007 P.S. Chitri, district Doongarpur, she shall be released on bail for a period till the police concludes the investigation and files the challan provided she furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the

following conditions:-

(i)That she shall make herself available for interrogation by a police officer as and when required;

(ii)That she shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That she shall not leave India without the previous permission of the Court.

The petitioner shall surrender before the trial court on the date of filing of the challan and move a regular bail.

(H.R.PANWAR), J.

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